IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 496 OF 1983

SIEMENS INDIA LTD. ... Plaintiff
V/S
UNIVERSAL TRANSPORT CO. ... Defendant

Mr. H. N. Jain i/b. GORDHANDAS AND FOZDAR for plaintiff
None for defendant

CORAM: **D.G. KARNIK J.**
DATE: February, 13, 2007

P.C.:

1. Heard learned counsel for the plaintiff. None present for the defendant. The defendant has not filed its written statement.
2. Considering the nature of the suit, which is a suit only for the recovery of money and the defendant who is the transporter has issued the certificate of damage to the goods in transport, I consider it appropriate to proceed under Order 8 Rule 10 of C.P.C. Accordingly the suit of the plaintiff is decreed in terms of prayer clause (a).

(D.G. KARNIK J.)